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09-25-01

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#21K5 10-5-01
CPA/1644/10
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OCT 02 2001
TECH CENTER 1600/1600
INTELLECTUAL PROPERTY LAW
(PATENT, BIOTECHNOLOGY, COMPUTER,
TRADEMARK & TRADE SECRET LAW)

Docket No. D6005CPA
Anticipated Classification of this application:
Class _____ Subclass _____
Prior application: 09/079,834
Examiner: Tung, M.
Art unit: 1644

ASSISTANT COMMISSIONER FOR PATENTS
BOX CPA
WASHINGTON, D.C. 20231

CONTINUED PROSECUTION APPLICATION (CPA)

- I. This is a request for a filing under the continued prosecution application procedure, 37 CFR 1.53(d).
- A. A prior complete application Serial Number 09/079,834, was filed on May 15, 1998.
- B. Under the title: "Fas Ligand Expressing Antigen Presenting Cells For Tolerance Induction" (as filed originally).
- C. Name of applicants(s) (as originally filed and as last amended) and current correspondence address of applicant(s).

John D. Mountz
2800 Vestavia Forest Place
Birmingham, Alabama 35216
Citizen: USA

Tong Zhou
332 W. Stonebrook Place
Birmingham, Alabama 35226
Citizen: China

II. The above-identified application in which no payment of issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this request for a continued prosecution application. Please use all the contents of the prior application file jacket, including the drawings, as the basic papers for the continued prosecution application and assign the application number of the above-identified application to the continued prosecution application.

10/01/2001 GTEFFERA 00000028 071185 09079834

01 FC:231 355.00 CH
02 FC:202 80.00 CH

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.53(d) application, be it either this application or a prior application in the same file wrapper, the PTO may provide similar information or access to all the other applications in the same file wrapper.

III. Declaration or Oath

A. Continuation: ☒ none required: ____

IV. Identification of Claims for Further Prosecution

The fees to be charged are to be based on the number of claims remaining as a result of the:
__ attached preliminary amendment.
__ unentered amendment filed under 37 CFR 1.116 in the prior application, which is now repeated.
☒ claims as on file in the prior application.

V. Fee Calculation

CLAIMS FOR FEE CALCULATION				
	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$355
TOTAL CLAIMS	17	0		
INDEPENDENT CLAIMS	5	2	X \$40	\$80
MULTIPLE DEPENDENT CLAIM(S), IF ANY				

FILING FEE CALCULATION \$435.00

VI. Small Entity Statement

☒ A small entity statement filed in the parent Serial No. 09/079,834, filed on May 15, 1998, is still proper and its benefit under 37 CFR 1.28(a) is hereby claimed.

VII. Fee Payment Being Made at This Time:

☒ Filing fee \$435
☒ Petition for Extension of Time fee \$445

TOTAL FILING FEES ENCLOSED \$880

VIII. Method of Payment of Fees

☒ Please charge Deposit Account No. 07-1185 in the total amount of the filing fee.
☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1185.

IX. Relate Back--35 U.S.C. 120

☒ Amend the specification by inserting: "This is a continued prosecution application of application Serial No. 09/079,834 filed on May 15, 1998, now abandoned."

X DO NOT ENTER

X. Assignment

— The prior application is assigned of record to

XI. Power of Attorney

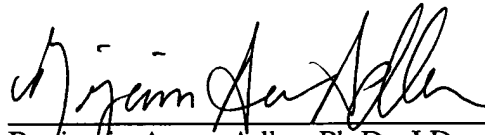
X The power appears in the prior application.
X Address all future communications to:

Benjamin Aaron Adler, Ph.D., J.D.
ADLER & ASSOCIATES
8011 Candle Lane
Houston TX 77071
(713) 270-5391

XII. Maintenance of Copendency of Prior Application

X A copy of the petition for extension of time in the prior application is attached.

Date: Sept 24, 2001


Benjamin Aaron Adler, Ph.D., J.D.
Registration No. 35,423

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